United Nations A/C.3/54/L.22

General Assembly

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Fifty-fourth session
Third Committee
Agenda item 107
Crime prevention and criminal justice

Burkina Faso:* draft resolution

African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 53/113 of 9 December 1998 and all other relevant resolutions,

Taking note of the report of the Secretary-General,[1]

Bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Taking note that the financial situation of the African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

1. *Commends* the African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

3. *Urges* the States members of the Institute to make every possible effort to meet their obligations to the Institute;

4. *Calls upon* all Member States and the international community to adopt concrete practical measures, including by increasing their financial assistance, to support the Institute in the development of the requisite capacity to implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

* On behalf of the States Members of the United Nations that are members of the Group of African States.
[1] A/54/340.

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5. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system, in particular the United Nations International Drug Control Programme, to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

6. *Also requests* the Secretary-General to provide the Institute with the core Professional staff required to enable it to function effectively in fulfilling its mandated obligations;

7. *Calls upon* the United Nations Crime Prevention and Criminal Justice Programme to work closely with the Institute;

8. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which can not be dealt with adequately by national action alone;

9. *Also requests* the Secretary-General to make concrete proposals to strengthen the programmes and activities of the Institute and to report to the General Assembly at its fifty-fifth session on the implementation of the present resolution.

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Fifty-fourth session
Third Committee
Agenda item 107
Crime prevention and criminal justice

Poland: draft resolution

High-level Signing Conference for the United Nations Convention against Transnational Organized Crime

The General Assembly,

Recalling its resolution 51/120 of 12 December 1996, in which it took note of the proposed draft United Nations framework convention against organized crime introduced by Poland,[1] and requested the Commission on Crime Prevention and Criminal Justice to consider, as a matter of priority, the question of the elaboration of an international convention against organized transnational crime, taking into account the views of all States on the matter, with a view to finalizing its work on the question as soon as possible,

Recalling also its resolution 52/85 of 12 December 1997, in which it decided to establish an inter-sessional open-ended intergovernmental group of experts for the purpose of elaborating a preliminary draft of a possible comprehensive international convention against organized transnational crime,

Recalling further its resolution 53/111 of 9 December 1998, in which it welcomed with appreciation the report of the meeting of the intergovernmental group of experts, held in Warsaw from 2 to 6 February 1998,[2] and decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and discussing the elaboration, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea,

[1] A/C.3/51/7, annex
[2] E/CN.15/1998/5

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Expressing appreciation to the Ad Hoc Committee for the Elaboration of a Convention against Transnational Organized Crime for the progress made in the development of the convention,

Taking note of its resolution 54/__, in which it requested the Ad Hoc Committee to intensify its work in order to complete it in the year 2000,

Recognizing the initiating role and the contribution of Poland to the development of a draft convention against transnational organized crime,

Welcoming with appreciation the offer of Poland to host a high-level signing conference for the United Nations Convention against Transnational Organized Crime,

1. *Decides* that the negotiations on the draft United Nations Convention against Transnational Organized Crime and the additional protocols thereto shall be concluded in Vienna;

2. *Also decides* that the High-level Signing Conference for the United Nations Convention against Transnational Organized Crime and the Additional Protocols shall be held in Warsaw;

3. *Requests* the Secretary-General, in accordance with paragraph 17 of its resolution 47/202 A of 22 December 1992, to schedule the holding of the High-level Signing Conference before the end of the Millennium Assembly, in the year 2000;

4. *Also requests* the Secretary-General to prepare the programme of the High-level Signing Conference in Warsaw in consultation with the Government of Poland.

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Agenda item 107
Crime prevention and criminal justice

Austria, Bahamas, Belarus, Chile, Colombia, Croatia, Cyprus, Ethiopia, Greece, Italy, Ireland, Israel, Kazakhstan, Kyrgyzstan, Lithuania, Madagascar, Malta, Portugal, Romania, Russian Federation, San Marino, Slovakia, Spain, South Africa, Sweden, the former Yugoslav Republic of Macedonia, Togo, Turkey and Ukraine: draft resolution

Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which it approved the statement of principles and programme of action annexed to that resolution,

Emphasizing the role of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and promotion of the highest standards of fairness, humanity and professional conduct,

Convinced of the desirability of closer coordination and cooperation among States in combating crime, including drug-related crimes such as money-laundering, illicit arms trade and terrorist crimes, bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Recognizing the urgent need to increase technical cooperation activities in order to assist countries, in particular developing countries and countries with economies in transition, with their efforts in translating United Nations policy guidelines into practice,

Recalling its relevant resolutions in which it requested the Secretary-General, as a matter of urgency, to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandate, in conformity with the high priority attached to the Programme,

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1. *Takes note with appreciation* of the report of the Secretary-General, on the progress made in the implementation of General Assembly resolution 53/114 of 9 December 1998;[1]

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

3. *Also reaffirms* the role of the Centre for International Crime Prevention of the United Nations Office for Crime Prevention and Criminal Justice of the Secretariat in providing to Member States, upon request, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the area of prevention and control of organized crime;

4. *Notes* the work programme of the Centre for International Crime Prevention, in particular the launching of three global programmes addressing, respectively, the trafficking in human beings, corruption and organized crime, formulated on the basis of close consultations with Member States and review by the Commission on Crime Prevention and Criminal Justice, and calls on the Secretary-General to further strengthen the Centre by providing it with the resources necessary for the full implementation of its mandate;

5. *Supports* the high priority given to technical cooperation and advisory services in the field of crime prevention and criminal justice, including in the area of prevention and control of transnational organized crime, and stresses the need to enhance the operational activities of the Centre for International Crime Prevention to assist, in particular, developing countries and countries with economies in transition;

6. *Welcomes* the increased number of technical assistance projects in the field of juvenile justice, reflecting an increased awareness among Member States of the importance of juvenile justice reform in establishing and maintaining stable societies and the rules of law;

7. *Invites* Member States to support, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, the operational activities of the United Nations Crime Prevention and Criminal Justice Programme;

8. *Encourages* relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, international financial institutions, particularly the World Bank, regional and national funding agencies, to support the technical operational activities of the Centre for International Crime Prevention;

9. *Urges* States and funding agencies to review, as appropriate, their funding policies for development assistance and to include a crime prevention and criminal justice component in such assistance;

10. *Welcomes* the efforts undertaken by the Commission on Crime Prevention and Criminal Justice to exercise more vigorously its mandated function of resource mobilization, and calls upon the Commission to strengthen further its activities in this direction;

11. *Expresses its appreciation* to non-governmental organizations and other relevant sectors of civil society for their support to the United Nations Crime Prevention and Criminal Justice programme;

[1] A/54/289.

12. *Welcomes* the efforts of the Executive Director of the Office for Drug Control and Crime Prevention to enhance the synergies between the United Nations International Drug Control Programme and the Centre for International Crime Prevention, in conformity with the reform proposals of the Secretary-General;

13. *Requests* the Secretary-General to take all necessary measures to assist the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in this field, in performing its activities, including cooperation and coordination with other relevant bodies, such as the Commission on Narcotic Drugs, the Commission on Human Rights and the Commission on the Status of Women;

14. *Reaffirms* the high priority attached to the elaboration of a comprehensive convention against transnational organized crime and of additional international instruments addressing trafficking in persons, especially women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea, and calls upon Member States to make all possible efforts to assure the rapid development and conclusion of the convention and the protocols thereto;

15. *Notes* the progress achieved by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime in the development of the draft United Nations Convention against Transnational Organized Crime and the three draft protocols thereto, addressing trafficking in persons, especially women and children, combating illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea;

16. *Welcomes* the decision of the Commission to mainstream a gender perspective into its activities and its request to the Secretariat that a gender perspective be integrated into all activities of the Centre for International Crime Prevention;

17. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fifth session.

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Fifty-fourth session
Third Committee
Agenda item 115
Right of peoples to self-determination

Azerbaijan, Bosnia and Herzegovina, Brunei Darussalam, Chile, Costa Rica, Egypt, Iran (Islamic Republic of), Jordan, Kuwait, Libyan Arab Jamahiriya, Oman, Pakistan, Qatar, Saudi Arabia and Singapore: draft resolution

Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[1] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of sovereign peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation adopted by the Commission on Human Rights at its thirty-

[1] Resolution 2200 A (XXI), annex.

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sixth,[2] thirty-seventh,[3] thirty-eighth,[4] thirty-ninth,[5] fortieth,[6] forty-first,[7] forty-second,[8] forty-third,[9] forty-fourth,[10] forty-fifth,[11] forty-sixth,[12] forty-seventh,[13] forty-eighth,[14] forty-ninth,[15] fiftieth,[16] fifty-first,[17] fifty-second,[18] fifty-third,[19] fifty-fourth[20] and fifty-fifth[21] sessions,

Reaffirming its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987, 43/105 of 8 December 1988, 44/80 of 8 December 1989, 45/131 of 14 December 1990, 46/88 of 16 December 1991, 47/83 of 16 December 1992, 48/93 of 20 December 1993, 49/148 of 23 December 1994, 50/139 of 21 December 1995, 51/84 of 12 December 1996, 52/113 of 12 December 1997 and 53/134 of 9 December 1998,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,[22]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

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[2] See *Official Records of the Economic and Social Council, 1980, Supplement No. 3* and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.

[3] Ibid., *1981, Supplement No. 5* and corrigendum (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

[4] Ibid., *1982, Supplement No. 2* and corrigendum (E/1982/12 and Corr.1), chap. XXVI, sect. A.

[5] Ibid., *1983, Supplement No. 3* and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.

[6] Ibid., *1984, Supplement No. 4* and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.

[7] Ibid., *1985, Supplement No. 2* (E/1985/22), chap. II, sect. A.

[8] Ibid., *1986, Supplement No. 2* (E/1996/22), chap. II, sect. A.

[9] Ibid., *1987, Supplement No. 5* and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

[10] Ibid., *1988, Supplement No. 2* and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

[11] Ibid, *1989, Supplement No. 2* (E/1989/20), chap. II, sect. A.

[12] Ibid., *1990, Supplement No. 2* and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

[13] Ibid., *1991, Supplement No. 2* (E/1991/22), chap. II, sect. A.

[14] Ibid., *1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[15] Ibid., *1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[16] Ibid., *1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

[17] Ibid., *1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[18] Ibid., *1996, Supplement No. 3* (E/1996/23), chap. II, sect. A.

[19] Ibid., *1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[20] Ibid., *1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[21] Ibid., *1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[22] A/54/327.

4. *Deplores* the plight of the millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this question to the General Assembly at its fifty-fifth session under the item entitled "Right of peoples to self-determination".

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General Assembly

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Fifty-fourth session
Third Committee
Item 114
Elimination of racism and racial discrimination

Guyana*: draft resolution

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Recalling its resolution 53/133 of 9 December 1998, and Commission on Human Rights resolution 1999/78 of 28 April 1999,[1]

Stressing that the Vienna Declaration and Programme of Action[2] adopted by the World Conference on Human Rights attaches importance to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Convinced that racism, as one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[3] including its conclusions and recommendations,

Deeply concerned that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of violence, persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

Deeply concerned also that those advocating racism and racial discrimination misuse new communication technologies, including the Internet, to disseminate their repugnant views,

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* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23-E/CN.4/1999/167), chap. II, sect. A.

[2] A/CONF.157/24 (Part I), chap. III.

[3] See A/54/347.

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Noting that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance that are increasingly visible in segments of many societies and are perpetrated by individuals or groups, some of which manifestations are directed against migrant workers and members of their families,

Reaffirming, in this regard, the responsibility of Governments for safeguarding and protecting the rights of individuals residing in their territory against crimes perpetrated by racist or xenophobic individuals or groups,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, *inter alia*, inequitable distribution of wealth, marginalization and social exclusion,

Deeply concerned about the fact that racism and racial discrimination against migrant workers continues to increase despite the efforts undertaken by the international community to protect the human rights of migrant workers and members of their families,

Noting that the Committee on the Elimination of Racial Discrimination, in its general recommendation XV (42) of 17 March 1993[4] on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination,[5] holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights[6] and in article 5 of the Convention,

Noting also that the reports that the States parties submit under the Convention contain, *inter alia*, information about the causes of, as well as measures to combat, contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Particularly alarmed at the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

Noting with appreciation that the Special Rapporteur will continue to pay attention to the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

Underlining the importance of urgently eliminating growing and violent trends of racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such crimes, and requires resolute action and cooperation for its eradication,

Emphasizing the importance of creating conditions that foster greater harmony and tolerance within societies,

1. *Reaffirms* the proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance;[7]

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[4] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

[5] Resolution 2106 A (XX), annex.

[6] Resolution 217 A (III).

[7] Resolution 53/132, sect. III.

2. *Calls upon* the relevant bodies of the United Nations, Member States, intergovernmental organizations and non-governmental organizations to carry out, promote and disseminate activities and actions in the framework of this commemorative year, in order to ensure its success, in particular the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

3. *Expresses its full support and appreciation* for the work of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and for its continuation, and welcomes the report of the Special Rapporteur;[3]

4. *Requests* the Special Rapporteur to continue his exchange of views with Member States, related United Nations organs and the specialized agencies, and other relevant mechanisms in order to further their effectiveness and mutual cooperation;

5. *Recommends* that the Commission on Human Rights consider the implementation of the recommendation of the Special Rapporteur with regard to all forms of xenophobia and related intolerance;[8]

6. *Commends* the Committee on the Elimination of Racial Discrimination for its contribution to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[5] which contributes to the fight against contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

7. *Reaffirms* that acts of racist violence against others stemming from racism do not constitute expressions of opinion but rather offences;

8. *Declares* that racism and racial discrimination are amongst the most serious violations of human rights in the contemporary world and must be combated by all available means;

9. *Expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, in particular all racist violence, and related acts of random and indiscriminate violence;

10. *Also expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, including propaganda, activities and organizations based on doctrines of superiority of one race or group of persons that attempt to justify or promote racism and racial discrimination in any form;

11. *Expresses its profound concern about and condemnation* of manifestations of racism, racial discrimination, xenophobia and related intolerance against, as well as stereotyping of, migrant workers and members of their families, persons belonging to minorities and members of vulnerable groups in many societies;

12. *Expresses deep concern* about the increase in racial and xenophobic violence, in particular in Europe and North America, including the increasing number of associations established on the bases of racist and xenophobic platforms and constitutions;

13. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for, foreign cultures, peoples and countries;

14. *Recognizes* that the increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world requires a more integrated

[8] See A/53/269, para. 41 (b).

and effective approach on the part of the relevant mechanisms of United Nations human rights machinery;

15. *Encourages* Governments to take appropriate measures to eradicate all forms of racism, racial discrimination, xenophobia and related intolerance;

16. *Calls upon* all States to review and, where necessary, revise their immigration policies with a view to eliminating all discriminatory policies and practices against migrants which are inconsistent with relevant international human rights instruments;

17. *Condemns* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred;

18. *Recognizes* that Governments should implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance;

19. *Calls upon* all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to continue to supply relevant information to the Special Rapporteur to enable him to fulfil his mandate;

20. *Commends* non-governmental organizations for the work that they have undertaken against racism and racial discrimination and for the continuous support and assistance that they have provided to the victims of racism and racial discrimination;

21. *Urges* all Governments to cooperate fully with the Special Rapporteur, with a view to enabling him to fulfil his mandate, including the examination of incidence of contemporary forms of racism and racial discrimination, *inter alia*, against blacks, Arabs and Muslims, xenophobia, Negrophobia, anti-Semitism and related intolerance;

22. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-fifth session.

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Agenda item 115
Right of peoples to self-determination

Algeria, Angola, China, Costa Rica, Cuba, Democratic People's Republic of Korea, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, India, Iran (Islamic Republic of), Iraq, Libyan Arab Jamahiriya, Niger, Nigeria, Sudan and United Arab Emirates: draft resolution

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The General Assembly,

Recalling its resolution 53/135 of 9 December 1998 and Commission on Human Rights resolution 1999/3 of 23 April 1999,

Recalling also all of its relevant resolutions, in which, *inter alia*, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, and recalling further the relevant resolutions of the Security Council and the Organization of African Unity,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the non-use of force or threat of use of force in international relations, and self-determination of peoples,

Reaffirming also that, by virtue of the principle of self-determination, as developed in the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[1] all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter,

[1] Resolution 2625 (XXV), annex.

99-31626 (E) 271099

Recognizing that mercenary activities continue to increase in many parts of the world and take on new forms, permitting mercenaries to operate in a better-organized way, with increased pay, and that their numbers have grown and more persons are prepared to become mercenaries,

Alarmed and concerned about the danger which the activities of mercenaries constitute to peace and security in developing countries, particularly in Africa and in small States,

Deeply concerned about the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from mercenary aggression and criminal activities,

Convinced that it is necessary for Member States to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted by the General Assembly on 4 December 1989,[2] and to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities,

Convinced also that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form they take to acquire some semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. *Takes note* of the report of the Special Rapporteur of the Commission on Human Rights on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;[3]

2. *Reaffirms* that the recruitment, use, financing and training of mercenaries are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Recognizes* that armed conflicts, terrorism, arms trafficking and covert operations by third Powers, *inter alia*, encourage the demand for mercenaries on the global market;

4. *Urges* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take the necessary legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State or threaten the territorial integrity and political unity of sovereign States, or to promote secession or to fight the national liberation movements struggling against colonial or other forms of alien domination or occupation;

5. *Calls upon* all States that have not yet done so to consider taking the necessary action to sign or to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;[2]

6. *Welcomes* the cooperation extended by those countries that have invited the Special Rapporteur;

7. *Also welcomes* the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

8. *Invites* States to investigate the possibility of mercenary involvement whenever criminal acts of a terrorist nature occur;

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[2] Resolution 44/34, annex.

[3] A/54/326.

9. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary assistance, both professional and financial;

10. *Urges* all States to cooperate fully with the Special Rapporteur in the fulfilment of his mandate;

11. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to be programmed in its immediate activities, to publicize the adverse effects of the activities of mercenaries on the right to self-determination and, when requested and where necessary, to render advisory services to States that are affected by the activities of mercenaries;

12. *Requests* the Secretary-General to invite Governments to make proposals towards a clearer legal definition of mercenaries, and, in this regard, requests the High Commissioner for Human Rights to convene expert meetings, as requested in previous General Assembly resolutions in the past, to study and update the international legislation in force and to propose recommendations for a clearer legal definition of mercenaries that would make for more efficient prevention and punishment of mercenary activities;

13. *Requests* the Special Rapporteur to report his findings on the use of mercenaries to undermine the right of peoples to self-determination, with specific recommendations, to the General Assembly at its fifty-fifth session;

14. *Decides* to consider at its fifty-fifth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Right of peoples to self-determination".

United Nations A/C.3/54/L.28

General Assembly

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Fifty-fourth session
Third Committee
Agenda item 114
Elimination of racism and racial discrimination

Guyana*: draft resolution

Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

The General Assembly,

Reaffirming its objectives, as set forth in the Charter of the United Nations to achieve international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism, in all its forms, and racial discrimination and its conviction that racism and racial discrimination constitute a total negation of the purposes and principles of the Charter and the Universal Declaration of Human Rights,[1]

Recalling the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination[2] and the Convention against Discrimination in Education, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,[3]

Recalling the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978[4] and in 1983,[5]

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* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

1 Resolution 217 A (III).

2 Resolution 2106 A (XX), annex.

3 United Nations, *Treaty Series*, vol. 49, No. 6193.

4 See *Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978* (United Nations publication, Sales No. E.79.XIV.2).

5 See *Report of the second World Conference to Combat Racism and Racial Discrimination, Geneva, 1-12 August 1983* (United Nations publication, Sales No. E.83.XIV.4 and corrigendum).

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Welcoming the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action[6] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Stressing the importance and sensitivity of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Recalling with satisfaction the proclamation of the Third Decade to Combat Racism and Racial Discrimination, which began in 1993, as well as adoption of the revised Programme of Action for the Third Decade by its resolutions 48/91 of 20 December 1993 and 49/146 of 23 December 1994, respectively,

Noting with grave concern that, despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to this day to be the victims of varied forms of racism and racial discrimination,

Noting also with great concern that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase, in particular in Europe and North America, including the increasing number of associations established on the basis of racist and xenophobic platforms and constitutions,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, *inter alia*, inequitable distribution of wealth, marginalization and social exclusion,

Alarmed that technological developments in the field of communication, including the Internet, continue to be utilized by various groups engaged in violent activity, for promoting racist and xenophobic propaganda aimed at inciting racial hatred, as well as the collection of funds to sustain violent campaigns against multi-ethnic societies throughout the world,

Having considered the report submitted by the Secretary-General[7] within the framework of the implementation of the Programme of Action,

Recalling General Assembly resolution 53/132 of 9 December 1998 in which it requested the Secretary-General to ensure the financial and personnel resources required for the implementation of the Programme of Action,

Recognizing the importance of strengthening national legislation and institutions for the promotion of racial harmony and for the effective enforcement of such legislation,

Remaining firmly convinced of the need to take more effective and sustained measures at the national and international levels for the elimination of all forms of racism and racial discrimination,

Deeply concerned about the fact that the phenomenon of racism and racial discrimination against migrant workers continues to increase despite efforts undertaken by the international community to improve the protection of the human rights of migrant workers and members of their families and recognizing the importance of Member States

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[6] A/CONF.157/24 (Part I), chap. III.

[7] A/54/299.

signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families[8] as a matter of priority,

Acknowledging that indigenous people are at times victims of particular forms of racism and racial discrimination,

I

Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities

1. *Welcomes* the report submitted by the Secretary-General;[7]

2. *Reaffirms* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world, and expresses its firm determination and its commitment to eradicate, by all available means, racism, in all its forms, and racial discrimination;

3. *Urges* all Governments to take all necessary measures to combat new forms of racism, in particular by constantly adapting the means provided to combat them, especially in the legislative, administrative, educational and information fields;

4. *Requests* the United Nations High Commissioner for Human Rights to give the highest priority to the follow-up to programmes and activities for combating racism and racial discrimination consistent with the need to ensure the effective preparation of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

5. *Requests* the Secretary-General in his reports on racism, racial discrimination, xenophobia and related intolerance to accord special attention to and provide information on the situation of migrant workers in this regard;

6. *Commends* all States that have ratified or acceded to the international instruments to combat racism and racial discrimination, especially the International Convention on the Elimination of All Forms of Racial Discrimination[2] and the Convention against Discrimination in Education;[3]

7. *Urges* States to limit the extent of any reservation they lodge to the International Convention on the Elimination of All Forms of Racial Discrimination, to formulate any reservation as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the objective and purpose of the Convention or otherwise incompatible with international treaty law; to review their reservations regularly with a view to withdrawing them; and to withdraw reservations that are contrary to the objective and purpose of the Convention or that are otherwise incompatible with international treaty law;

8. *Encourages* the mass media to promote ideas of tolerance and understanding among peoples and between different cultures;

9. *Requests* the Secretary-General to continue to draw attention to the effects of racial discrimination on minorities and migrant workers and members of their families, especially children and women, in the fields of education, training and employment, and to submit in his report specific recommendations for the implementation of measures to combat such discrimination;

10. *Regrets* the lack of support and financial resources for the Third Decade to Combat Racism and Racial Discrimination and its Programme of Action and requests the

[8] Resolution 45/158, annex

Secretary-General to include in his report to the General Assembly at its fifty-fifth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including through the United Nations regular budget and extrabudgetary sources;

11. *Expresses its appreciation* to those who have made contributions to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, strongly appeals to all Governments, intergovernmental organizations, non-governmental organizations and individuals in a position to do so to contribute generously to the Fund and, to this end, requests the Secretary-General to continue to undertake the appropriate contacts and initiatives;

12. *Requests* the Secretary-General to report to the Commission on Human Rights at its fifty-sixth session on the outcome of the expert seminar to be held this year on the activities of the Third Decade to Combat Racism and Racial Discrimination;

13. *Recalls* its repeated appeals and those of the Economic and Social Council for the establishment of a mechanism within the Office of the United Nations High Commissioner for Human Rights to serve as a focal point for coordination of all the activities of the Third Decade, welcomes the formation of a racism project team, and requests the High Commissioner to continue to work towards full establishment of such a mechanism;

14. *Urges* all Governments, the Secretary-General, United Nations bodies, the specialized agencies, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action for the Third Decade, to pay particular attention to the situation of indigenous people;

15. *Requests* States to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

16. *Strongly underlines* the importance of education as a significant means of preventing and eradicating racism and racial discrimination and of creating awareness of principles of human rights, particularly among young people, and, in this regard, requests the United Nations Educational, Scientific and Cultural Organization to continue its work on the preparation and dissemination of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

17. *Considers* that all parts of the Programme of Action for the Third Decade should be given equal attention in order to attain the objectives of the Decade;

18. *Requests* the Secretary-General to accord the highest priority to the activities of the Programme of Action and, in this regard, also requests the Secretary-General to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 2000-2001;

19. *Also requests* the Secretary-General to continue to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination;

20. *Invites* the Secretary-General to submit proposals to the General Assembly which would assist with the full implementation of the Programme of Action;

21. *Reiterates its calls* upon all Governments, United Nations bodies, the specialized agencies and intergovernmental organizations, regional organizations and interested non-governmental organizations to contribute fully to the effective implementation of the Programme of Action;

II
World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

22. *Recalls* its resolutions 52/111 of 12 December 1997 and 53/132 of 9 December 1998 in which it established that the Commission on Human Rights will act as the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance as well as Commission on Human Rights resolution 1999/78 of 28 April 1999[9] and Economic and Social Council resolution 1999/12 of 27 July 1999;

23. *Decides* to increase the financial sources, including those coming from the United Nations regular budget, designed specifically to contribute to the preparatory process for the World Conference;

24. *Requests* the Secretary-General and the High Commissioner for Human Rights to make every effort to ensure that resources are mobilized for the participation of the least developed countries in the preparatory process and in the Conference itself;

25. *Requests* the Secretary-General, the specialized agencies and the regional economic commissions to provide financial and technical assistance for the organization of the regional preparatory meetings planned in the context of the World Conference and stresses that such assistance should be supplemented by voluntary contributions;

26. *Decides* that the World Conference and the sessions of the Preparatory Committee should be open to participation by:

(a) All States Members of the United Nations and the specialized agencies;

(b) All regional organizations and commissions and associated members involved in the preparation of regional meetings;

(c) Representatives of organizations which have received from the General Assembly a standing invitation to participate as observers;

(d) The specialized agencies, secretariats of the regional commissions and all United Nations bodies and programmes;

(e) Representatives of all United Nations mechanisms in the field of human rights;

(f) Other interested governmental organizations, which shall be represented by observers;

(g) Interested non-governmental organizations to be represented by observers in accordance with Economic and Social Council resolution 1996/31 of 25 July 1996;

27. *Welcomes* the offer by the Government of South Africa to host the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001;

28. *Requests* the High Commissioner for Human Rights:

[9] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23-E/CN.4/1999/167), chap. II, sect. A.

(a) To undertake a study to be submitted to the Preparatory Committee at its first session on ways of improving coordination between her Office and all specialized agencies and international, regional and subregional organizations in the field of action to combat racism, racial discrimination, xenophobia and related intolerance;

(b) To continue to devise and implement, with the Department of Public Information of the Secretariat, a world information campaign aimed at sensitizing public opinion to the importance and the objectives of the World Conference, to publish in all the official languages of the United Nations an information pamphlet to be made available to non-governmental organizations, the media and the general public and to inform the Preparatory Committee of the developments in this regard;

(c) To help States, upon request, and regional organizations to convene national and regional meetings or to undertake other initiatives, including at the expert level, to prepare for the World Conference;

(d) To draw up a draft agenda for the first session of the Preparatory Committee, taking into consideration, *inter alia*, the need to address in a comprehensive manner all forms of racism, racial discrimination, xenophobia and related contemporary forms of intolerance;

(e) To continue fundraising activities in order to increase the resources for the voluntary fund established specifically to cover all aspects of the preparatory process for the World Conference and the participation of non-governmental organizations, particularly from developing countries;

29. *Welcomes* the proposals made by the open-ended working group of the Commission on Human Rights on the themes for the World Conference;

30. *Decides* that the World Conference will be action-oriented and focus on practical measures to eradicate racism, including through measures of prevention, education and protection and the provision of effective remedies, taking into full consideration the existing human rights instruments;

31. *Appeals* to Member States to contribute generously to the voluntary fund for the preparatory process and the World Conference and the participation of non-governmental organizations from developing countries;

32. *Requests* Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and other human rights mechanisms to assist the Preparatory Committee and to undertake reviews and submit recommendations concerning the World Conference and the preparations therefor to the Preparatory Committee through the Secretary-General and to participate actively in the Conference;

33. *Calls upon* States and regional organizations to hold national or regional meetings or to take other initiatives in preparation for the World Conference and requests regional preparatory meetings to submit reports to the Preparatory Committee, through the Secretary-General, on the outcome of their deliberations, including practical and action-oriented recommendations to combat racism, racial discrimination, xenophobia and related intolerance;

III
Proclamation of the year 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance

34. *Strongly reaffirms* the proclamation of the year 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance and, in this context, calls upon Governments, the United Nations and non-governmental organizations to observe the International Year in a suitable manner, including through programmes of action;

IV
General

35. *Decides* to keep the item entitled "Elimination of racism and racial discrimination" on its agenda and to consider it as a matter of high priority at its fifty-fifth session.

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Fifty-fourth session
Third Committee
Agenda item 115
Right of peoples to self-determination

Algeria, Andorra, Austria, Bahrain, Bangladesh, Belgium, Benin, Burkina Faso, Chile, Cuba, Cyprus, Denmark, Djibouti, Ecuador, Egypt, Finland, France, Germany, Greece, Guinea, Guyana, Hungary, Indonesia, Ireland, Italy, Jordan, Kenya, Kuwait, Liechtenstein, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritania, Monaco, Morocco, Mozambique, Namibia, Netherlands, Niger, Nigeria, Oman, Pakistan, Portugal, Qatar, San Marino, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, Sudan, Sweden, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Viet Nam, Yemen, Zimbabwe and Palestine: draft resolution

The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in its Charter,

Recalling the International Covenants on Human Rights,[1] the Universal Declaration of Human Rights,[2] the Declaration on the Granting of Independence to Colonial Countries and Peoples[3] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[4]

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[5]

Expressing hope for rapid progress in the peace process and the achievement of a final settlement between the Palestinian and Israeli sides by the agreed time of September 2000,

[1] Resolution 2200 (XXI), annex.
[2] Resolution 217 (A) III.
[3] Resolution 1514 (XV).
[4] A/CONF.157/24 (Part I), chap. III.
[5] See resolution 50/6.

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Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the option of a State;

2. *Expresses the hope* that the Palestinian people will soon be exercising their right to self-determination, which is not subject to any veto, in the current peace process;

3. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in their quest for self-determination.

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Fifty-fourth session
Third Committee
Agenda item 116 (a)
Human rights questions: implementation of human rights instruments

Islamic Republic of Iran: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

Delete operative paragraph 1.

99-31953 (E) 281099